

## **REMARKS**

### **Summary of the Office Action**

Claims 1, 2, 10 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Ito et al.* (U.S. Patent No. 5,737,306).

Claims 3-9 and 12-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ito et al.* in view of *Koyata et al.* (U.S. Patent No. 6,392,964).

### **Summary of the Response to the Office Action**

Applicants have canceled claims 1-14 without prejudice and disclaimer, and added new claims 15-55 to differently define the invention. Accordingly, claims 15-55 are currently pending.

### **The Rejections under 35 U.S.C. §102(b) and §103(a)**

Claims 1, 2, 10 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Ito et al.* Claims 3-9 and 12-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ito et al.* in view of *Koyata et al.*

Since Applicants have canceled claims 1-14, the rejections of claims 1-14 have been rendered moot.

### **New Claims 15-55**

Applicants have added new claims 15-55 to differently define the invention. Applicants respectfully submit that new claims 15-55 are allowable over the prior art of record based on at least the reasons set forth below.

Applicants respectfully submit that *Ito et al.* is directed to a playback system for an optical disc that presents a character or a graphic pattern formed by specified pit patterns on data tracks. For example, Fig. 1 of *Ito et al.* shows an information recording medium, a CD-ROM 4, the signal surface of which is provided with a character/graphic pattern 14 which is visible to the naked eye of an observer. As further described in columns 5 and 6, Applicants respectfully submit that *Ito et al.* employs a standard mastering process to produce the CD-ROM 4. Specifically, the signal surface of the CD-ROM 4 is formed by a master disc with patterns of microscopic protrusions (pits) as shown in Fig. 2 of *Ito et al.*, where the pit patterns are determined in accordance with the values of channel bit patterns. In addition, as shown in Fig. 3 of *Ito et al.*, one of the interior and exterior of the character/graphic pattern 14 is configured of the pit patterns, each of which corresponds to data "89" and includes pits 142 being 3T long, while the other is configured of the pit patterns, each of which corresponds to data "168" and includes pit 143 being 11T long. Applicants note that it appears that the order of "89" and "168" should be reversed according to Table 1 in column 5 of *Ito et al.*

Unlike *Ito et al.*, in the arrangements and methodologies of the present invention, the optical characteristic of the recording layer is changed by irradiating the recording layer with light. As a result, a visible image pattern is formed. Applicants respectfully submit that production of the change in optical characteristic of the recording layer by irradiation of light is neither taught nor suggested by the mastering process described in *Ito et al.*

In other words, Applicants respectfully submit that *Ito et al.* neither teaches nor suggests the claimed combinations, including at least "a writing component for forming a

visible image pattern by irradiation of light on a recording layer formed in the optical recording medium to generate a change in optical characteristic of said recording layer between a portion where pits are formed with the light and a pit-less portion where pits are not formed,” as recited by newly-added independent claims 15 and 32.

Also, Applicants respectfully submit that *Ito et al.* neither teaches nor suggests the claimed combinations, including at least “an image pattern writing program for forming a visible image pattern on a recording layer formed in said optical recording medium through irradiation of light on the recording layer to generate a change in an optical characteristic of the recording layer between a portion where pits are formed with the light and a pit-less portion where pits are not formed,” as recited by newly-added independent claim 47.

Also, Applicants respectfully submit that *Ito et al.* neither teaches nor suggests the claimed combinations, including at least “forming a visible image pattern through generation of a change in optical characteristic of the recording layer between a portion where pits are formed with the light and a pit-less portion where pits are not formed,” as recited by newly-added independent claim 48.

In addition, since *Koyata et al.* does not cure the above-noted deficiencies of *Ito et al.*, Applicants respectfully submit that *Ito et al.* and *Koyata et al.*, whether taken singly or combined, do not teach or suggest each and every feature of the present invention.

For at least the reasons set forth above, Applicants respectfully submit that new claims 15-55 are in condition for allowance.

**Conclusion**

In view of the foregoing remarks, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.


Applicants respectfully request a three month extension. Please charge the amount of \$930.00 representing the three-month extension of time fee and the amount of \$462.00 representing the additional claim fee to our Deposit Account No. 50-0310.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

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